

REMARKS

The Examiner is thanked for the performance of a thorough search.

Claims 8, 32, 37, and 42 have been amended. No claims have been canceled or added.

Hence, Claims 8-30, 32-35, 37-40, 42-49 are pending in the present application.

I. SUMMARY OF INTERVIEW

The Examiner is thanked for granting the courtesy of a telephone interview on May 1, 2007. Examiner Boutah and Applicant's representatives Christopher J. Palermo and Stoycho D. Draganoff attended the interview. Proposed amendments to Claim 8 were discussed. An agreement regarding patentability was not reached. Specifically, the Examiner indicated that the proposed amendments to Claim 8 appear to overcome the cited references, but an updated search and further consideration would be required.

II. STATUS OF CLAIMS

Claims 8-15, 32, 37, and 42 stand rejected.

Claims 16-30, 33-35, 38-40, 43-44, and 45-49 are in condition for allowance.

III. ISSUES RELATING TO THE CITED ART

A. INDEPENDENT CLAIM 8

Claim 8 was rejected as allegedly unpatentable under 35 U.S.C. § 103(a) over Troxel et al., U.S. Patent No. 6,253,236 ("TROXEL") in view of Soltis et al., U.S. Patent No. 6,493,804 ("SOLTIS") and further in view of Wikstrom et al., U.S. Patent No. 5,913,213 ("WIKSTROM"). The rejection is respectfully traversed.

Claim 8 includes the feature of **"wherein each of the plurality of local lock manager processes may grant a lock on the same resource at any time when a number of outstanding locks granted on the same resource is less than the specified maximum number of**

concurrent users”, which feature is substantially the same as the proposed amendment discussed during the telephone interview of May 8, 2007.

The above feature of Claim 8 is supported in the figures and in numerous passages of the present application. For example, at least FIG. 1, col. 10, lines 10-18, and col. 11, lines 1-8 describe that each of lock managers 141a and 141b may concurrently grant locks on shared resource 150 by utilizing local lock data structures 144a and 144b, respectively. Further, at least col. 11, lines 15-22 describes that a lock manager process may grant a lock on a shared resource at any time when the aggregate of the values of the outstanding locks granted on the resource is less than the maximum number of concurrent users allowed for the resource.

The references cited in the Office Action do not teach, describe, or suggest the above feature of Claim 8. The Office Action asserts that WIKSTROM describes a plurality of local lock manager processes, where each local lock manager process may grant a lock on the same resource. This is assertion is technically incorrect. In WIKSTROM, a lock manager can only grant a lock on a replica of a data object, where the replica is local to the lock manager. (See WIKSTROM, at least col. 3, lines 36-43, and col. 2, lines 36-44.) Thus, WIKSTROM effectively describes that multiple lock managers may grant locks on what are essentially multiple objects (the replicas), where changes to one replica is propagated to other replicas of the same object by using various flags and by exchanging messages between the nodes on which the replicas are stored. (See WIKSTROM, at least col. 3, lines 47-52, and col. 8, lines 49-53.)

In addition, WISKTROM and the other cited references do not describe or suggest that a plurality of lock manager processes, of a distributed lock manager process, may grant locks on the same resource concurrently at any time when a number of outstanding locks granted on the resource is less than the maximum number of concurrent users allowed for the resource, as featured in Claim 8.

Finally, the Office Action asserts that TROXEL and SOLTIS describe the other features of Claim 8. The Applicant respectfully disagrees. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those features is not provided at this time.

For the reasons given above, TROXEL, SOLTIS, and WIKSTROM, whether taken alone or in combination, do not describe or suggest all features of Claim 8. Thus, Claim 8 is patentable under 35 U.S.C. § 103(a) over TROXEL in view of SOLTIS and further in view of WIKSTROM. Reconsideration and withdrawal of the rejection of Claim 8 is respectfully requested.

B. INDEPENDENT CLAIMS 32, 37, AND 42

Independent Claims 32, 37, and 42 were rejected as allegedly unpatentable under 35 U.S.C. § 103(a) over TROXEL in view of SOLTIS and further in view of WIKSTROM.

Claims 32, 37, and 42 include features similar to the features of Claim 8 discussed above. Thus, Claims 32, 37, and 42 are patentable under 35 U.S.C. § 103(a) over TROXEL in view of SOLTIS and further in view of WIKSTROM for at least the reasons given above with respect to Claim 8. Reconsideration and withdrawal of the rejections of Claims 32, 37, and 42 is respectfully requested.

C. DEPENDENT CLAIMS 9-15

Claims 9-15 were rejected as allegedly unpatentable under 35 U.S.C. § 103(a) over TROXEL in view of SOLTIS and further in view of WIKSTROM.

Each of Claims 9-15 depends from independent Claim 8, and thus includes each and every feature of the independent base claim. Thus, each of Claims 9-15 is allowable for the reasons given above for Claim 8. In addition, each of Claims 9-15 introduces one or more additional features that independently render it patentable. However, due to the fundamental

differences already identified, to expedite the positive resolution of this case a separate discussion of those features is not included at this time. Therefore, it is respectfully submitted that Claims 9-15 are allowable for the reasons given above with respect to Claim 8.

IV. CONCLUSION

The Applicant believes that all issues raised in the Office Action have been addressed. Further, for the reasons set forth above, Applicant respectfully submits that allowance of all pending claims is appropriate. Reconsideration of the present application is respectfully requested in light of the amendments and remarks herein.


The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

A petition for extension of time, to the extent necessary to make this reply timely filed, is hereby made. If applicable, a law firm's check for the petition for extension of time fee is enclosed herewith. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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